

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

KENT BERNBECK,

Plaintiff,

v.

JOHN A. GALE, Nebraska Secretary of
State;

Defendant.

8:13CV228

ORDER OF DISMISSAL

This matter is before the court following a decision by the Eighth Circuit reversing this court's decision. See [Filing No. 82](#). The Eighth Circuit ruled that plaintiff does not have standing to bring his Fourteenth Amendment claim and vacated this court's decision. The Eighth Circuit ordered the court to dismiss the claim without prejudice. The final mandate issued on September 14, 2016. [Filing No. 86](#).

THEREFORE, IT IS ORDERED THAT plaintiff's Fourteenth Amendment claim, as discussed in [Filing No. 82](#), is dismissed without prejudice.

Dated this 15th day of September, 2016.

BY THE COURT:

s/ Joseph F. Bataillon
Senior United States District Judge